

1 **In the Claims**

2 Claims 9, 26, 31 and 34 have been amended.

3 Claims 9-15, 26, 27, 31, 34, and 49-54 remain in the application for
4 consideration and are listed as follows:

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6 1.-8. (Canceled).

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8 9. (Currently Amended) A method for facilitating speedy
9 communication of packets between entities on a network through a
10 communication device, the method comprising:

11 sending a set of packets from a sending entity to a receiving entity, wherein
12 a transmission delay between packets in the set is intolerable;

13 immediately thereafter, sending at least one "push" packet to avert a
14 transmission delay between packets in the set, wherein the "push" packet has a
15 size selected ~~is specifically configured~~ to force the transmission of the set of
16 packets by the communication device to avoid the transmission delay caused by
17 packet buffering by the communication device on the network.

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19 10. (Original) A method as recited in claim 9, wherein the set of packets
20 includes two packets sent back-to-back.

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22 11. (Original) A method as recited in claim 9, wherein the set of packets
23 are bandwidth-measurement packets for measuring bandwidth between the
24 sending entity and the receiving entity.
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1 12. (Original) A method as recited in claim 9, wherein the
2 communication device is a proxy server.

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4 13. (Original) A method as recited in claim 9, wherein the network is
5 TCP.

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7 14. (Original) A program module having computer-executable
8 instructions that, when executed by a computer, performs the method as recited in
9 claim 9 at an application layer in accordance with an OSI model.

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11 15. (Original) A computer-readable medium having computer-
12 executable instructions that, when executed by a computer, performs the method
13 as recited in claim 9.

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15 16. – 25. (Canceled).

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17 26. (Currently Amended) A method for facilitating bandwidth
18 measurement between two entities on a network through a communication device,
19 the method comprising:

20 sending a pair of bandwidth-measurement packets from a sending entity to
21 a receiving entity, wherein a transmission delay between packets in the pair is
22 intolerable;

23 immediately thereafter, sending at least one “push” packet to avert a
24 transmission delay between packets in the pair, wherein the “push” packet has a
25 size selected ~~is specifically configured~~ to force the transmission of the set of

1 packets by the communication device to avoid the transmission delay caused by
2 packet buffering by the communication device on the network.

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4 27. (Original) A method as recited in claim 26 further comprising
5 receiving a bandwidth calculation based upon measurements related to the pair of
6 packets.

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8 28. (Canceled).

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10 29. (Canceled).

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12 30. (Canceled).

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14 31. (Currently Amended) A computer-readable medium having
15 computer-executable instructions that, when executed by a computer, perform a
16 method to facilitate speedy communication of packets between entities on a
17 network through a communication device, the method comprising:

18 sending a set of packets from a sending entity to a receiving entity, wherein
19 a transmission delay between packets in the set is intolerable;

20 immediately thereafter, sending at least one "push" packet to avert a
21 transmission delay between packets in the set, wherein the "push" packet has a
22 size selected ~~is specifically configured~~ to force the transmission of the set of
23 packets by the communication device to avoid the transmission delay caused by
24 packet buffering by the communication device on the network.

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32. (Canceled).

33. (Canceled).

34. (Currently Amended) An apparatus comprising:

a processor;

a transmission-delay avoider executable on the processor to:

send a set of packets from a sending entity to a receiving entity through a communication device, wherein a transmission delay between packets in the set is intolerable;

immediately thereafter, send at least one “push” packet to avert a transmission delay between packets in the set, wherein the “push” packet has a size selected ~~is specifically configured~~ to force the transmission of the set of packets by the communication device to avoid the transmission delay caused by packet buffering by the communication device on the network.

35.-48. (Canceled).

49. (Previously Presented) A method as recited in claim 9, wherein the “push” packet is sent from the sending entity.

1 50. (Previously Presented) A method as recited in claim 9, wherein the
2 communication comprises a device other than the sending entity or the receiving
3 entity.
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5 51. (Previously Presented) A method as recited in claim 9, wherein the
6 packet buffering causing the transmission delay is characterized by a buffering
7 action where one or more of the set of packets are buffered into a packet buffer,
8 wherein the transmission delay is a result of the packet buffering.
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10 52. (Previously Presented) A method as recited in claim 26, wherein the
11 “push” packet is sent from the sending entity.
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13 53. (Previously Presented) A method as recited in claim 26, wherein the
14 communication device comprises a device other than the sending entity or the
15 receiving entity.
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17 54. (Previously Presented) A method as recited in claim 26, wherein the
18 packet buffering causing the transmission delay is characterized by a buffering
19 action where one or more of the set of packets are buffered into a packet buffer,
20 wherein the transmission delay is a result of the packet buffering.
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